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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,255	04/02/2001	Thanassis Vasilios Kontonassios	19002/0003	1515

25566 7590 07/22/2004  
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EXAMINER

LERNER, MARTIN

ART UNIT PAPER NUMBER

2654

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/824,255

Applicant(s)

KONTONASSIOS, THANASSIS  
VASILIOS

Examiner

Martin Lerner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 to 55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 55 is/are allowed.
- 6) ☐ Claim(s) 1 to 7, 11 to 16, 23 to 32, and 41 to 45 is/are rejected.
- 7) ☒ Claim(s) 8 to 10, 17 to 22, 33 to 40, and 46 to 54 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2-3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:

On page 3, line 25, "paten" should be —patent—.

On page 7, line 11, "forth" should be —fourth—.

On page 9, line 11, "forth" should be —fourth—.

On page 9, line 21, there should be a period at the end of the sentence.

On page 9, line 23, there should be a period at the end of the sentence.

On page 14, line 3, "computers" should be —computer's—.

On page 15, line 16, "it's" should be —its—.

On page 16, line 23, "it's" should be —its—.

On page 18, line 30, "sot" should be —so—.

On page 18, line 31, there should be a period after "file".

On page 20, line 3, "and" should be —an—.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 to 6, 11 to 16, 23 to 30, and 41 to 45 are rejected under 35 U.S.C.

103(a) as being unpatentable over *Holzman et al.* in view of *Mitchell et al.*

Concerning independent claims 1 and 25, *Holzman et al.* discloses a method and system for navigation and editing of records through speech and audio, comprising:

“generating a first sequence of user utterances for performing an operation” – a user speaks a command 141 (column 5, lines 19 to 45: Figure 1);

“generating a second sequence of user utterances for entering data” – a user speaks data-related input 142 (column 5, lines 19 to 36: Figure 1);

“receiving said first sequence of user utterances and said second set of user utterances in a microphone” – a user speaks commands and electronic record contents, or data, into a microphone 131 (column 4, lines 31 to 35: Figure 1);

“providing a stored operation vocabulary” – central processing unit 121 uses the syntax and/or vocabulary 113 predefined for the application to assist its interpretation of the spoken inputs (column 4, lines 41 to 44: Figure 1); implicitly, vocabulary 113 provides for both command operations and dictation words;

“providing a stored dictation vocabulary” – central processing unit 121 uses the syntax and/or vocabulary 113 predefined for the application to assist its interpretation of the spoken inputs (column 4, lines 41 to 44: Figure 1); implicitly, vocabulary 113 provides for both command operations and dictation words;

“correlating said first [conditioned] input signal with elements of said stored operation vocabulary thereby translating said first sequence of user utterances into

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compatible instructions recognizable by said computer, and correlating said second [conditioned] input signal with elements of said stored dictation vocabulary thereby translating said second sequence of user utterances into data” – using speech recognition software 112 stored in the computer’s mass storage medium 123, the computer’s central processing unit 121 interprets the inputs as commands that dictate computer actions and as data for the electronic record 111 (column 4, lines 37 to 42: Figure 1);

“selecting a first account from said plurality of accounts using said first sequence of user utterances” – an identifying label may be assigned to each record; this allows the user to open and close particular records by name (column 6, lines 40 to 46: Figure 2: Step 240; column 7, lines 11 to 16: Figure 3: Steps 310 and 330);

“electronically associating said data with said first account” – if the central processing unit 112 recognizes the input as valid, it responds appropriately, by committing the data 142 to the appropriate field of the electronic record or data base 111, which is maintained in mass storage 123 (column 5, lines 19 to 25: Figure 1).

Concerning independent claims 1 and 25, the only elements omitted by *Holzman et al.* are “generating and displaying a window”, “converting said first set of user utterances into a first conditioned input signal and said second set of user utterances into a second conditioned input signal”, and “displaying said data in said window”. *Holzman et al.* suggests an audio-only interface, noting visual displays are used in working with electronic records. (Column 6, Lines 25 to 32) However, *Mitchell et al.* teaches a related speech-to-text dictation method and system, where dictated text is

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displayed on display 8 of personal computer 1 (column 5, lines 62 to 64: Figures 1 and 2), and during dictation the audio signal from microphone 5 is input into an interface device 7 which includes a digital signal processor to condition the signal for input into computer 1 (column 5, lines 14 to 20: Figure 1). Those skilled in the art would know that a display is conventional in a text-to-speech method and system for permitting easy interaction by a user as an art recognized alternative to audio-only interfaces, and that conditioning a signal to remove noise facilitates speech recognition with fewer errors. It would have been obvious to one having ordinary skill in the art to condition an input signal and provide a display as suggested by *Mitchell et al.* in the method and system to edit electronic records of *Holzman et al.* for the purposes of facilitating easy interaction by a user and reducing recognition errors.

Concerning claims 2, 3, 26, and 27, *Mitchell et al.* discloses both continuous and discrete speech recognition (column 5, lines 35 to 36).

Concerning claims 4 and 28, *Holzman et al.* discloses commands and data entered by a user, which is "a live human" (column 4, lines 31 to 35: Figure 1).

Concerning claims 5, 6, 29, and 30, *Holzman et al.* discloses creating records for accounts (column 6, lines 32 to 40: Figure 2), and editing information in electronic records (column 2, lines 2 to 4).

Concerning claims 11, 23, and 24, *Mitchell et al.* discloses audio data is stored in non-volatile storage such as the disk storage 15, and the user is able to reopen a document and play back the corresponding audio data (column 10, line 64 to column 11, line 6).

Concerning claim 12, *Holzman et al.* discloses data 142 is stored in an electronic record data base 111, which is maintained in mass storage 123 (column 5, lines 19 to 25: Figure 1).

Concerning claims 13 and 41, *Holzman et al.* discloses records are stored in predefined field formats (column 5, lines 45 to 60).

Concerning claims 14 to 16 and 42 to 45, *Holzman et al.* discloses selecting (Figure 3), saving (column 5, lines 19 to 25), editing (column 2, lines 2 to 4), and storing (column 5, lines 19 to 25) data relating to records in predefined field formats (column 5, lines 45 to 60); *Mitchell et al.* teaches a related speech-to-text dictation method and system, where dictated text is displayed on display 8 of personal computer 1 (column 5, lines 62 to 64: Figures 1 and 2).

4. Claims 7, 31, and 32, are rejected under 35 U.S.C. 103(a) as being unpatentable over *Holzman et al.* in view of *Mitchell et al.* as applied to claims 1 and 25 above, and further in view of *Hon et al.*

*Mitchell et al.* discloses a display for dictated text, but omits generating a plurality of subwindows within the boundary of the window, wherein one of the windows is a dictation area. However, *Hon et al.* teaches a related text to speech method and system, wherein a plurality of windows are open simultaneously and one of the windows is a dictation window. *Hon et al.* suggests the advantages of permitting the user to select text to be edited from a subwindow and to change various options during dictation. (Column 5, Lines 38 to 52; Column 9, Lines 11 to 20: Figures 4, 7, and 9)

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Generally, it is well known to have a plurality of windows open simultaneously on a personal computer. It would have been obvious to one having ordinary skill in the art to generate a plurality of subwindows within the boundary of a window as taught by *Hon et al.* in the speech-to-text method and system of *Mitchell et al.* for the purposes of facilitating text selection during editing and option selection during dictation.

### ***Allowable Subject Matter***

5. Claim 55 is allowed.
6. Claims 8 to 10, 17 to 22, 33 to 40, and 46 to 54 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Bergeron et al., Van Hemert, de Vries et al., Hiri, and Kanavy et al. disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.




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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML  
7/7/04

  
Martin Lerner  
Examiner  
Group Art Unit 2654